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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,612	07/31/2002	Tom-Chin Chang	9154-US-PA	6857
43831	7590	11/09/2006	EXAMINER	
BERKELEY LAW & TECHNOLOGY GROUP 1700NW 167TH PLACE SUITE 240 BEAVERTON, OR 97006			SETH, MANAV	
		ART UNIT	PAPER NUMBER	
			2624	

DATE MAILED: 11/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/064,612	CHANG, TOM-CHIN	
	Examiner	Art Unit	
	Manav Seth	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 23 August 2006.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-22 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 23, 2006 has been entered.

Response to Amendment

2. Applicant's amendment filed on August 23, 2006 has been considered and entered in full.
3. Applicant's amendments to the claims have been fully considered but are moot in view of the rejection(s) made below, in view of the further consideration of the amended claims.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
5. Claims 1-22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding claim 1, claim 1 as claimed recites an image correction method able to avoid error images which further comprises (a) obtaining a first correction digital signal during black correction and extracting only a plurality of last bits of the first correction signal; and (b) obtaining a second correction digital signal during white correction, and extracting only a plurality of first bits of the second correction signal and setting the most significant bit of the second correction digital signal to a value of 1.

As per claim 1, the claim is directed to an image correction method able to avoid error images but claim 1 does not recite any steps of image correction rather it recites extracting of bits from the signals and setting the most significant bit of the second correction digital signal to a value of 1. Now, the question being how extracting the plurality of bits and setting the most significant bit of the second correction digital signal to a value of 1 corrects the image to avoid error images? The support for this kind of image correction has not been found in the specification either, the specification in paragraph [0020] recites “

[0020] According to the above, the present invention provides an image correction method able to avoid error images. According to two opposite characteristics of black and white, only the last few bits of the digital signal obtained by scanning are extracted during black correction. While performing white correction, only the first few bits of the digital signal obtained by scanning are extracted, and the most significant bit of the digital signal is configured as 1. Therefore, the LBB effect on the image caused by dust or spot on the correction document is avoided. Further, in the digital signal obtained by scanning, fewer bits are extracted, so that the required memory capacity is reduced.

”,

and paragraphs [0026] and [0027] recites “

[0026] Referring to Figure 2, an image correction method able to avoid error images in one embodiment of the present invention is illustrated. In the image correction method, firstly, whether a black correction or a white correction is performed is determined in step s202. While performing black correction, the scanner uses the lamp to radiate a light on a first correction document. The light reflected by the document is then incident on a reflection mirror of an optical system, and focused by a lens of the optical system to obtain a first correction optical signal. An optoelectric conversion is performed to convert the first correction optical signal into an electrical first correction analog signal by an image extraction device (such as charge-coupled device). The first correction analog signal is then converted into a first correction digital signal by an analog/digital converter. While performing black correction, the response of the image extraction device is small, such that the first few bits of the first digital correction signal are zero, and only the last few bits (such as last 8 bits) are extracted. That is, only a few bits at the end of the first digital correction signal are extracted. Thus, the LBB effect caused by dust or spot on the first correction document is avoided. Further, the first correction document includes a black correction document (s204). Only the extracted last few bits of the first correction digital signal are stored in a memory such as a random access memory, so that the storage capacity requirement of the memory is reduced (s206).

(0027) 

When white correction is performed, the lamp of the scanner is incident on the second document. The light is then reflected by the second document, incident on the reflection mirror of the optical system, and focused by the lens of the optical system to obtain a second correction optical signal. The second correction optical signal is converted into an electrical second correction analog electric signal by optoelectric conversion via the image extraction device. The second correction analog electric signal is converted into a second correction digital signal via the analog/digital converter. While performing white correction, the response of the image extraction device is significant, so that the most significant bit of the second digital correction signal has to be set as 1. Therefore, only the first few bits (such as first 8 bits) of the second correction digital signal are extracted. In this way, the LBB effect caused in the scanned image by dust or spot on the second correction document is avoided. The second correction document includes a white correction document (s208). The

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The specification as cited above in paragraphs [0020], [0026] and [0027] clearly shows only extraction of bits from the image signals and setting the MSB of the second correction signal to a value of 1 and further saving these extracted bits in the memory. The same is interpreted by the figure 2. The specification further recites that extracting the bits and setting the MSB of the second correction signal to a value of 1 would avoid the LBB effect caused in the scanned image by dust or spot on the second correction document. Again, the question being how extracting the plurality of bits and setting the most significant bit of the second correction digital signal to a value of 1 corrects the image to avoid error images?

Clearly, the specification would not enable one skilled in the art to make the claimed invention, which being the image correction by just extracting the plurality of bits and setting the MSB of the second correction signal to a value of 1 and saving these extracted bits. The specification does not teach how such extracting the plurality of bits and setting the MSB of the second correction signal to a value of 1 would provide image correction or would avoid LBB effect

Art Unit: 2624

in the image. The specification and the drawings do not describe or contain a written description of the invention, in such full, clear, concise, and exact terms so as to enable any person skilled in the art to make and use the subject matter defined by each of the rejected claims without undue experimentation. All other claims stand rejected under 35 U.S.C. 112, first paragraph, at least for the same reasons as applied to claim 1 before.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manav Seth whose telephone number is (571) 272-7456. The examiner can normally be reached on Monday to Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta, can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Manav Seth
Art Unit 2624
November 2, 2006


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